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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

**NORTHWEST ENVIRONMENTAL
DEFENSE CENTER**, a non-profit corporation,
**OREGON CENTER FOR
ENVIRONMENTAL HEALTH**, a non-profit
corporation, and **SIERRA CLUB**, a non-profit
corporation,

Plaintiffs,

v.

OWENS CORNING CORPORATION,

Defendant.

NO. [CV 04-1727-JE](#)

[MOTION FOR PROTECTIVE ORDER](#)
by Defendant Owens Corning Corp.

Pursuant to Fed. R. Civ. P. 26(c)

ORAL ARGUMENT REQUESTED

CERTIFICATION OF COUNSEL

Pursuant to Local Rule 7.1 and Fed. R. Civ. P. 26(c), counsel have conferred in good faith in an effort to resolve this dispute without the Court's intervention, and have been unable to do so. In addition, defendants have permitted plaintiffs to review *in camera* the responsive documents that are currently the subject of this motion, and the parties have worked to reduce the scope of documents subject to the motion. Plaintiffs have indicated their opposition to certain

[1- MOTION FOR PROTECTIVE ORDER](#)

[29641-0010/PA052360.058]

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terms in the example protective order, attached as Exhibit A to the proposed order, but have expressed their belief that the parties could reach agreement on the specific terms of a protective order if the Court grants the instant motion.

MOTION

In order to protect trade secret and confidential information that is responsive to plaintiffs' requests for production, Defendant Owens Corning respectfully moves this Court pursuant to Fed. R. Civ. P. 26(c)(7) for the entry of a protective order ensuring that certain Owens Corning trade secrets and confidential research and commercial information, as further described in the below order, not be revealed by plaintiffs except under the terms of an order substantially similar to the exhibit accompanying the proposed order. Information protected under this order would include plant- and line-specific information about manufacturing processes, costs, and efficiencies at Owens Corning's other extruded polystyrene foam manufacturing facilities, as well as information regarding Owens Corning's research into alternative blowing agents and processes, and underlying confidential permit applications relating to such research.

Owens Corning reserves the right to request attorney fees and costs for this motion pursuant to Fed. R. Civ. P. 26(c) and 37(a)(4).

DATED: August 26, 2005

PERKINS COIE LLP

By s/ Jeffrey C. Dobbins

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